

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

METHVEN AND ASSOCIATES
PROFESSIONAL CORPORATION,

No. C 13-01079 JSW

Plaintiff,

v.

SCARLETT PARADIES-STROUD, as
administrator of the ESTATE OF ANDREW
B. STROUD, et al.,

**ORDER REGARDING MOTION
FOR DISCHARGE**

Defendants.

Now before the Court for consideration is the motion for discharge filed by plaintiff Methven & Associates Professional Corporation ("Plaintiff"). Defendant Steven Ames Brown ("Brown") opposes the motion in part. Defendants the Estate of Nina Simone, Castle Rock Entertainment, Warner Bros. Entertainment, Inc. and Warner Specialty Films, Inc. d/b/a Warner Independent Pictures joined in the opposition filed Brown. Having considered the parties' papers, relevant legal authority, and the record in this case, the Court finds the matter suitable for disposition without oral argument and VACATES the hearing set for October 31, 2014. *See* N.D. Civ. L.R. 7-1(b).

Plaintiff moves to be discharged from this action and for an injunction precluding the Defendants from prosecuting any proceeding relating to the property that has been deposited with the Court. It is the requested injunction that Brown opposes. Brown argues that it would preclude him from bringing a malicious prosecution claim against Plaintiff. In its complaint for

1 interpleader, Plaintiff only sought an injunction to bar each defendant from instituting any
2 further action against Plaintiff to recover the property. The Court finds that the injunction
3 requested by Plaintiff in the current motion goes too far, but that the initial injunction requested
4 by Plaintiff is warranted. Therefore, the Court GRANTS IN PART and DENIES IN PART
5 Plaintiff's motion for discharge. The Court HEREBY DISCHARGES Plaintiff from this action
6 and enjoins all defendants from instituting any further action against Plaintiff to recover the
7 property. The Court DENIES the motion for discharge to the extent the injunction sought by
8 Plaintiffs is broader and would include any claims for malicious prosecution.

9 **IT IS SO ORDERED.**

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11 Dated: October 21, 2014

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14 JEFFREY S. WHITE
15 UNITED STATES DISTRICT JUDGE
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